

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

KH-REIT II FUNDING XXII, LLC
Plaintiff,

v.

GRANT MEADOWS, L.L.C.
Defendant.

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C.A. NO. 4:22-CV-03730

**DEFENDANT GRANT MEADOWS, L.L.C.'S UNOPPOSED
MOTION FOR SUBSTITUTION OF COUNSEL**

Defendant Grant Meadows, L.L.C. files this unopposed motion for substitution of counsel.

1. Plaintiff is KH-REIT II FUNDING XXII, LLC (“**KH-REIT**”). Defendant is GRANT MEADOWS, L.L.C. (“**Grant Meadows**”). Third-Party Plaintiff is Fidelity National Title Insurance Company (“**Fidelity**”).

2. On October 27, 2022, KH-REIT filed this lawsuit and alleged that Grant Meadows attempted to terminate a contract to purchase real property based on an improper title objection. [*Doc. Entry # 1*]. On November 22, 2022, Grant Meadows filed an answer with affirmative defenses and counterclaims [*Doc. Entry # 6*]. On December 13, 2022, Fidelity filed a Complaint for Interpleader and Declaratory Relief against KH-REIT and Grant Meadows [*Doc. Entry # 7*]. On December 14, 2022, KH-REIT filed a partial motion to dismiss Grant Meadows’ declaratory judgment counterclaim pursuant to Rule 12(b)(6) [*Doc. Entry # 9*]. Also, on December 14, 2022 KH-REIT filed an answer to Grant Meadows’ counterclaims subject to the partial motion to dismiss [*Doc. Entry # 9*].

3. Grant Meadows is presently represented by attorney-in-charge Sara Prasatik, and of counsel Scot Clinton, with Wilson Cribbs & Goren, P.C.

4. Grant Meadows requests that attorney-in-charge Prasatik and of counsel Clinton be

permitted to withdraw as counsel, and that J. Robert MacNaughton be substituted as attorney-in-charge, and of counsel Brad Porter, with Porter Law Firm PLLC. Mr. MacNaughton's state bar number/federal ID number, office address, e-mail address, telephone number, and fax number are as follows:

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5. Grant Meadows approves the substitution. KH-REIT is unopposed to the substitution. Fidelity is unopposed the substitution. The substitution of counsel is for good cause and not for delay but so that justice may be done.

6. For these reasons, Grant Meadows asks the Court to grant this motion for attorney-in-charge Sara Prasatik and of counsel Scot Clinton with Wilson Cribbs & Goren, P.C. to withdraw as counsel, and substitute as attorney in charge J. Robert MacNaughton and of counsel Brad Porter with Porter Law Firm, PLLC, and for all other relief to which it may be entitled.

Respectfully submitted,

WILSON CRIBBS & GOREN, P.C.

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-and-

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CERTIFICATE OF SERVICE

I hereby certify that on January 12, 2023, a true and correct copy of the above and foregoing was filed on the CM/ECF system and served to all counsel of record via electronic notices, facsimile, and/or U.S. Postal Mail in compliance with the Federal Rules of Civil Procedure, as follows:

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/s/Sara M. Prasatik

Sara Prasatik